

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Patrick Berry, Henrietta Brown, Nadine Little, Dennis Barrow, Virginia Roy, Joel Westvig, Emmett Williams, *on behalf of themselves and a class of similarly-situated individuals*; and ZACAH,

Case No. 20-CV-02189-WMW-LIB

District Judge Wilhelmina Wright
Magistrate Judge Leo I. Brisbois

Plaintiffs,

vs.

DECLARATION OF DAVID HEWITT

Hennepin County; Hennepin County Sheriff David Hutchinson, *in his individual and official capacity*; City of Minneapolis; Minneapolis Mayor Jacob Frey, *in his individual and official capacity*; Medaria Arradondo, *in his individual and official capacity*; Superintendent of the Minneapolis Park and Recreation Board Al Bangoura, *in his individual and official capacity*; Park Police Chief at the Minneapolis Park and Recreation Board Jason Ohotto, *in his individual and official capacity*; Police Officers John Does; and Police Officer Jane Does,

Defendants.

I, David Hewitt, make this declaration pursuant to 28 U.S.C. § 1746.

1. I am the Director of the Hennepin County Office to End Homelessness, which is part of the Hennepin County Human Services Department. I have been a Hennepin County employee for just over four years, and I have been the Director of the Office to End Homelessness since February 2017. As Director of the Office to End Homelessness, I oversee the County's housing stability and housing crisis efforts. The Office to End

Homelessness does not provide direct service, but rather provides funding and coordination for shelter, outreach, housing assistance, and services.

2. A broad coalition of government agencies (including the Office to End Homelessness), nonprofit organizations, and philanthropic partners are currently operating the largest and safest emergency shelter system that has ever existed in Hennepin County. This shelter system includes shelter for families, single adults, adult couples, and adults who are high-risk for COVID-19 complications. There are currently more than 1,000 single adults in shelter in Hennepin County each night and more than 200 people in family shelters, the majority of whom are children.

3. There are no ID requirements for single adult shelters in Hennepin County, and in fact it is common for people living in single adult shelters to lack a form of legal identification, such as a driver's license or government ID card.

4. All Hennepin County funded shelters are currently operating 24 hours a day, 7 days a week. In other words, there is no requirement that individuals living in shelters leave shelter during daytime hours. Hennepin County funded shelters have been operating 24/7 since at least May, with smaller shelters shifting to 24/7 operation even earlier. Further, shelters are funded to operate 24/7 until at least September 2022.

5. Almost no shelters for single adults require payment from a resident; that is, available beds are free to use.

6. There is some existing shelter capacity in Hennepin County. Since approximately July 1, 2020 to now, there have been some unused beds for single women every night. Throughout July there were an average of 27 beds still available each night for

women when the Adult Shelter Connect intake service closed at 10:15pm (at which point new calls pass to 211, which tend to be minimal). For single men, there were some unused beds almost every night from May through the middle of September. Throughout July there were an average of 14 beds still available each night for men when the Adult Shelter Connect intake service closed at 10:15pm. More recently, shelters for single men have been hitting capacity; however, new beds do become available each day. For families with children, there have been approximately 40 to 50 private rooms unused and available all summer and fall. Even if family shelters were at capacity, Hennepin County has committed to finding shelter for all families with children.

7. Shelters in Hennepin County connect people to services including housing assistance and medical and mental health care through Hennepin County Health Care for the Homeless. In addition, family shelters connect people to employment services for parents, educational services for children, and childcare.

8. To protect shelter residents and staff from COVID-19, shelters in Hennepin County are operating at approximately fifty percent capacity, to comply with CDC guidelines. Shelters also enforce social-distancing guidelines. Hennepin County has deployed contracted vendors to do additional cleaning at shelter sites, and there is a nurse triage line so that shelter residents and staff can report symptoms, get tested for COVID-19, and move into isolation if needed. Finally, Hennepin County operates five hotel sites, three that provide long-term protective shelter for approximately 540 people who are high-risk for COVID-19 complications, and two that provide short-term isolation shelter for the small number of individuals who have tested positive for COVID-19 at any one time. In

addition to decreasing risks associated with COVID-19, these hotel sites have enabled shelters to operate at reduced capacity (or “deconcentrate”), as noted above.

9. To protect shelter residents’ safety and security, shelters control who can enter a facility and have trained staff on site at all times. In addition, larger shelters and hotel sites have security staff. Shelters also have rules designed to protect residents and staff, including rules banning weapons and drug use.

10. By the end of 2020, approximately \$55 million will be invested in opening at least seven sites for emergency shelter, low-barrier housing, and protective housing for people experiencing homelessness, as well as enhancing existing shelter and expanding support services and street outreach. Further, by the end of the year, an additional 670 units of very affordable housing designated for people experiencing homelessness will have opened or begun construction. So far in 2020, approximately 1,300 people experiencing homelessness in Hennepin County have found permanent housing with help from government, nonprofit, and philanthropic partners.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 21, 2020.

s/ David Hewitt
David Hewitt